



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,940	01/03/2001	Peter R. Horsfall	P/3879-3	1745

7590 12/17/2004

STEVEN I WEISBURD, ESQ.  
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP  
1177 AVENUE OF THE AMERICAS - 41ST FLOOR  
NEW YORK, NY 10036-2714

EXAMINER

DASS, HARISH T

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/753,940

Applicant(s)

HORSFALL ET AL.

Examiner

Harish T Dass

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/3/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-39 are rejected Ordish (US 5,195,031) in view of Applicant declaration, PRNewswire "Reuters Launches Dealing 3000", Jan 19, 2000, New York (hereinafter PRNewswire).

Re. Claims 1, 16, 22, 36-37, and 39 Ordish substantially discloses conversational trading system for providing real time context sensitive trading messages (tickets) based on conversation analysis [see entire document particularly Abstract; figures; C1 L31 to C3 L33; C5 L25 to C7 L2; C8 L42 to C11 L17; C13 L1-L67; C25 L37 to C27 L10 and claims], Applicant admits that a conversational dealing system Reuters 2000/1 exist for a single instrument (see page 1 lines 20-29 of specification) and PRNewswire discloses launching of Dealing 3000 with total of 26 conversations dealing of currencies [see entire document]. Further Ordish discloses a deal stack holding a plurality of deals in which the trader is participating, the deal stack including the status of each deal and a deal description [Figures 4-6; C25 L37 to C27 L10], means for entering conversational deal related information [C6 L65 to C7 L2; C25 L37-L67], a parser for parsing the conversational deal related information to detect a change in or an intention to change

Art Unit: 3628

deal status; and for notifying the deal stack of the change in deal status [C8 L42 to C11 L17], whereby on receipt of a changed deal status notification, the deal stack generates deal string appropriate to the new deal status [C8 L40-L50; C9 45 to C10 14; C19 L1 to C20 L10] to provide an enhance system and make plurality of conversational possible per keystation (terminal or direct deal entering mean) with greater benefit to trader. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to combine disclosures Ordish, applicant and PRNewswire to provide a system to handle multiple trade conversation possible to traders.

Re. Claims 2-6, Ordish further discloses wherein the parser is deal status dependent, whereby the parser parses conversation input by the trader to detect in the conversation a predetermined content related to the deal status, wherein the system analyses the parsed deal status information provided by the parser to detect the presence of a plurality of predetermined deal variables, wherein a deal is initiated by a taker and the parser to parses conversation input into the system by the deal maker and deal taker, wherein, in the absence of any deal related information in the parsed conversation, the parser monitors the conversation for a request for a quote (RFQ), wherein the parser has a list of terms pertinent to each deal stage for a given instrument and, on detection of a term in the list for a given deal stage, parses the terms and variables in the conversation [Figures 3-4, 28; C8 L42 to C11 L17; C13 L1-L67].

Re. Claims 7-9 Ordish further discloses further comprising means for inputting non conversational deal related information, wherein the means for inputting non-conversational deal related information comprises deal status dependent buttons on the deal stack, and wherein the means for inputting non-conversational deal related information comprises a plurality of deal status dependent keyboard driven menus [Abstract; Figures 1, 28; C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67; claim 12].

Re. Claims 10-13 Ordish discloses wherein the means for entering conversational deal related information comprises a conversation panel in the user interface, wherein deal related information input into the system via means for inputting non-conversational deal related information is converted into conversation and entered into the conversation, wherein each deal in the deal stack has an associated conversation, and wherein the trader terminal further includes a messaging system for sending deal related messages to the dealing system when the status of a deal in the deal stack changes, the messages sent being dependent on the status of the deal [Figures 1-2; C1 L31 to C3 L33; C6 L65 to C7 L2; C13 L1-L67; claim 1].

Re. Claims 14-15 Ordish further discloses wherein the instruments include at least one financial instrument (spot type deal) and wherein the at least one financial instrument is a foreign exchange (currency) [Figures 4, 23; C13 L1 to C14 L57].

Art Unit: 3628

Re. Claims 19-21 Ordish discloses wherein each deal status has an associated deal string [Figures 4-6; C10 L15-L63], further comprising non-conversational means for the trader to input deal status changes into the trading system and wherein the non-conversational means for entering deal status changes includes a plurality of deal status dependent buttons on the deal stack [C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67].

Re. Claims 17-18 Ordish further discloses wherein the parser monitors the conversation in the conversation panel for predetermined terms dependent on the deal status [C8 L42 to C11 L17; C13 L1-L67; C25 L37 to C27 L10], and wherein the parser comprises a list of deal statuses and associated terms indicating a change of status [Figures 4-6; C25 L37 to C27 L10].

Re. Claim 23 Ordish discloses wherein the parser is deal status dependent, whereby the parser parses conversation input by the trader to detect in the conversation a predetermined content related to the deal status [C6 L65 to C7 L2; C8 L42 to C11 L17; C25 L37-L67].

Re. Claim 24 Ordish discloses wherein the system analyses the parsed deal status information provided by the parser to detect the presence of a plurality of predetermined deal variables [C8 L42 to C11 L17; C13 L1-L67; C25 L37 to C27 L10].

Re. Claims 25-27 Ordish discloses wherein a deal is initiated by a taker and the parser parses conversation input into the system by the deal maker and wherein, in the absence of any deal related information in the parsed conversation, the parser monitors the conversation for a request for a quote (RFQ) and wherein the parser has a list of terms pertinent to each deal stage for a given instrument and, on detection of a term in the list for a given deal stage, parses the terms and variables in the conversation [Figures 3-6, 9-10; C8 L42 to C11 L17; C13 L1-L67].

Re. Claims 28-31, Ordish further discloses means for inputting non-conversational deal related information, wherein the means for inputting non-conversational deal related information comprises deal status dependent buttons on the deal stack, wherein the means for inputting non-conversational deal related information comprises a plurality of deal status dependent keyboard driven menus, and wherein the means for entering conversational deal related information comprises a conversation panel in the user interface [Abstract; Figures 1, 28; C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67; claims 1&12].

Re. Claims 32-33, Ordish further discloses wherein each deal in the deal stack has an associated conversation, and a messaging system for sending deal related messages to the dealing system when the status of a deal in the deal stack changes, the messages sent being dependent on the status of the deal [C1 L31 to C3 L33; C6 L65 to C7 L2; C13 L1-L67; claim 1].

Re. Claims 34-35 Ordish further discloses wherein the instruments include at least one financial instrument, and wherein the at least one financial instrument is a foreign exchange (FX) instrument [Figures 4, 23].

Re. Claim 38, Ordish further discloses wherein the means for entering deal related information into the system comprises keyboard driven menus [C1 L31 to C3 L33; C6 L65 to C7 L2; C25 L37-L67; claim 12].

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

*US 5,787,402, Potter et al, Jul. 28, 1998 "Method and system for performing automated financial transactions involving foreign currencies" discloses a methods and systems for performing automated financial transactions, and more particularly to a method and system for performing automated financial transactions involving at least two currencies at real-time market rates between a customer and a financial institution.*

*US 5,727,165, Ordish et al, Mar. 10, 1998 "Offer matching system having timed match acknowledgment" discloses a matching systems for effectuating trades of trading instruments through automatic matching in which buyers and sellers who are willing to trade with one another based on specified criteria may automatically trade when*



*matching events occur satisfying these criteria, and more particularly to improvements in such matching systems in which risks are minimized as to losses due to broken trades.*

*US 61,38,100, Dutton et al, Oct. 24, 2000 "Interface for a voice-activated connection system" discloses a voice-activated connection (VAC) systems in general. More particularly, the invention relates to a method and apparatus for constructing an interface for use with a VAC system while minimizing the amount of information required for input by the user.*

*US 5,936,801, Matsubara et al, Jul. 20, 1999 "Electronic security/stock trading system with voice synthesis response for indication of transaction status" discloses an electronic dealing system which electronically performs matching processing of information on transaction orders placed by order side customers and information on transaction orders placed by hit side customers so as to establish transactions and, more particularly, relates to an electronic dealing system which ensures a greater certainty of transactions for the customers.*

*US 6,421,653, May, Jul. 16, 2002 "Systems, methods and computer program products for electronic trading of financial instruments" discloses brokerage systems and methods, and more particularly, to the electronic trading of financial instruments such as derivatives.*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3628

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harish T Dass  
Examiner  
Art Unit 3628

*Harish T Dass*

12/8/04